

ARTICLE 4

MAJOR SUBDIVISION PLAN PROCEDURE

4-1 PURPOSE - The purpose of this Article is to establish the procedure that shall be followed by the developer, the project engineer, the Division of Engineering, other divisions of the Urban County Government, the Planning Commission, and other entities in preparing, reviewing and approving any subdivision defined as a major subdivision under the provisions of Article 2 of these regulations.

4-2 TYPES OF MAJOR SUBDIVISION PLANS - The following plan types are hereby created and defined as the basic components needed for a major subdivision:

4-2(a) PRELIMINARY SUBDIVISION PLAN - All proposed major subdivisions, except as exempted under Section 4-3 below, shall be first considered by the Commission as a preliminary subdivision plan. Upon approval of this plan by the Planning Commission, the developer and project engineer may prepare and file the improvement plan with the Division of Engineering. No lot may be sold or transferred, or building permit obtained based upon an approved preliminary subdivision plan.

4-2(b) IMPROVEMENT PLAN - The improvement plan is a detailed plan for public improvements to be constructed in conjunction with a subdivision, such as streets (both public and private); storm drainage; sanitary sewers; pump stations and other public facilities. Upon submission of the required information, the developer may construct such public improvements in accordance with the improvement plan.

4-2(c) FINAL SUBDIVISION PLAN - Major subdivisions shall receive their last official consideration by the Planning Commission as a final subdivision plan. Upon approval of the final subdivision plan by the Planning Commission and subsequent recordation, lots may be sold or transferred and building permits obtained in accordance with the approved final subdivision plan. This plan may also be referred to as the final record plan, final plan, or the subdivision plat.

4-3 BYPASSING PRELIMINARY AND IMPROVEMENT PLANS - In any subdivision not involving new public or private streets or other public improvements, and where improvement plans are not

necessary, the developer may be permitted to omit the preliminary plan and improvement plan stages, and may proceed directly to the final plan submission stage. Whenever a final subdivision plan is submitted under this section and the Division of Planning questions the need for preliminary and improvement plans, the question shall be referred to the Planning Commission for judgment.

4-4 PRELIMINARY PLAN PROCEDURE - All preliminary subdivision plans shall be processed as follows:

4-4(a) PRE-FILING CONFERENCE - At least five (5) working days prior to filing of a preliminary subdivision plan, the developer is encouraged to prepare a rough sketch of the proposal and is encouraged to meet with the Division of Planning to discuss the proposed subdivision. The purpose of this conference is to discuss, at the earliest stages, subdivision requirements and procedures, and possible issues related to the development of the property in question. It is intended that this procedure will help alleviate possible conflicts over subdivision requirements by early recognition of existing conditions, necessary facilities and other requirements, which the developer can then consider in preparing the formal subdivision proposal. The developer is also encouraged to discuss the proposal with other public agencies and utilities at this stage.

4-4(b) APPLICATION AND DISTRIBUTION - To formally ask for action on the preliminary plan, the developer shall file a completed application, filing fee and copies of the plan as required by the Commission's adopted meeting and filing and fee schedules. The Division of Planning shall make copies of the plan available to all other concerned agencies, and divisions of the Urban County Government.

4-4(c) REVIEW - The Division of Planning, and representatives of other divisions and concerned agencies, shall review the preliminary plans, and then meet together as a Technical Committee to try to resolve all differences and to make recommendations to the Commission's Subdivision Committee. The Subdivision Committee will review all recommendations, and then forward their recommendations to the Commission. These committee

meetings shall be open to the developer and to any interested citizen; however, each Committee may impose rules, which control participation by non-members in attendance. The developer may secure recommendations from the staff at any of the review checkpoints, and proceed to make plan changes, so that revised plans may be submitted to the remaining review groups.

4-4(d) COMMISSION ACTION - No preliminary plans shall be considered for action by the Commission until they have been reviewed, and recommendations made, by the Subdivision Committee. All preliminary plans shall be approved, conditionally approved, or disapproved within ninety (90) days of the date they are officially filed for Commission action. The Commission will review the Subdivision Committee's recommendations and then act for approval, conditional approval with conditions noted, postponement, or disapproval. Reasons for action of postponement or disapproval and any requirements associated with a conditional approval shall be fully incorporated in the Commission's minutes and shall be available to the developer and the public. The following actions by the Commission shall have the meanings so stated:

(1) APPROVAL - Means the developer is authorized to proceed with the preparation of the required improvement plan. Preliminary plan approval automatically grants a developer three (3) years within which he shall submit final plans for all property shown on the preliminary plan for Planning Commission consideration. Before expiration, the Commission may extend the approval period in increments not to exceed one year at a time, provided the Commission finds that progress has been made in the physical construction of improvements. In conjunction with such approval extensions, the Commission shall have the right to require changes in the preliminary plan when it finds that time has necessitated such changes for the health, safety and welfare of the residents of the community or when applicable ordinances and regulations have been changed. Upon the expiration of any approval period specified under this section, the plan shall be deemed as disapproved by the Commission.

(2) CONDITIONAL APPROVAL - Means the developer may proceed to the preparation of the improvement plan, but only after the requirements of the Planning Commission have been fulfilled and/or the preliminary plan has been corrected to

reflect all requirements placed on the plan by the action of the Commission.

(3) POSTPONEMENT - Means Commission action is delayed for definite reasons, which shall be noted by the Commission. Certain specified changes may have to be made in the plans, but no completely new re-submittal of the plan is required of the developer. However, all preliminary plans shall be approved or disapproved within ninety (90) days of the date they are officially filed for Commission action unless the developer agrees to a longer postponement.

(4) DISAPPROVAL - Means disapproval of the plan for reasons that shall be noted in the minutes and records of the Commission. For further action, the developer must file a new application, along with a filing fee, and preliminary plan copies as required under Article 4-4(b) above.

4-4(e) CERTIFICATION OF APPROVAL - The project engineer shall make any required additions or corrections to the preliminary plan, and shall submit copies in a number required by the Commission within fourteen (14) days of the Planning Commission's approval for any preliminary plan that has been substituted for a development plan, in conjunction with a map amendment (as provided in Article 21-8 of the Zoning Ordinance), and within one (1) year of the date of Planning Commission approval for all other preliminary plans. The action of the Commission shall be null and void if these requirements are not met. The Division of Planning shall review the plan; and if found in conformance with the Planning Commission's action, the Commission's Secretary shall certify the plan. The Division of Engineering shall not enter into an infrastructure development agreement for a development unless and until it has received a certified copy of the preliminary plan from the Division of Planning.

4-5 IMPROVEMENT PLAN PROCEDURE - All improvement plans shall be prepared and filed in accordance with the following procedure:

4-5(a) INFRASTRUCTURE DEVELOPMENT AGREEMENT - Prior to commencing the engineering design for the public infrastructure of any major subdivision, the project engineer, developer and the Lexington-Fayette Urban County Government, acting by and through its Urban County Engineer, shall enter into an infrastructure development agreement in a form and containing the provisions contained in the Procedures Manual. A new

infrastructure development agreement shall be required in the event the developer of the property is changed to another development entity, or in the event the private agreement for infrastructure development services between the developer and the project engineer are terminated. All infrastructure development agreements shall provide that the subject development has sanitary sewer capacity in compliance with the requirements of Section 6-2 of these regulations.

4-5(b) IMPROVEMENT PLAN PROGRESS REPORT - When the project engineer has completed approximately thirty percent (30%) of the infrastructure design for the development, the project engineer shall submit a preliminary report to the Planning Commission informing the Commission of how stormwater, sanitary sewer and environmental conditions imposed by the Commission at the time of the approval of the preliminary subdivision plan will be addressed in the improvement plan. The report shall be distributed to the Commission at the next convenient meeting. The report is for information only, and no action by the Commission shall be taken.

4-5(c) FILING - Upon completion of the improvement plan, the project engineer shall file with the Division of Engineering the required copies of the improvement plan, which shall fully conform to these Subdivision Regulations, the Zoning Ordinance, the Division of Engineering Technical and Procedures Manuals, Division of Engineering Standard Drawings and the certified preliminary subdivision plan. The Division of Engineering shall conduct an administrative review of the proposed improvement plan. The purpose of the review shall be to verify that the required information has been submitted. It shall be the responsibility of the project engineer to ensure the accuracy, completeness, and construction feasibility of the improvement plan. The improvement plan may be filed in two stages, with the first stage containing the information required for initial grading, erosion and sediment control, and initial incidental construction related to the erosion and sediment control features. The second stage shall contain all other information required for the construction of the improvements related to the development. Within ten (10) working days of the filing, the Division of Engineering shall notify the developer and project engineer in writing of the results of the administrative review.

4-5(d) NOTICE TO PROCEED - Upon verification by the Division of Engineering that the required information has been submitted, the Division of

Engineering shall notify the developer, the project engineer, and the Division of Building Inspection of the notice to proceed with the grading, erosion and sediment control features and/or with the improvements. The construction must commence within two years of the notice to proceed, or the improvement plan is void.

4-5(e) STATE AND FEDERAL PERMITS - It is the obligation of the Project Engineer and developer to obtain all state and federal permits required for construction, as listed in the Technical and Procedures Manuals. When the Lexington-Fayette Urban County Government is the responsible permitting authority, as specified in the Technical and Procedures Manuals, copies of such approved permits shall be submitted to the Division of Engineering prior to beginning construction of the feature related to the permit. Copies of all required permits shall be submitted prior to certification of the final record plan.

4-5(f) PROVISION OF PLANS TO THE PRIVATE UTILITY COMPANIES - The project engineer shall provide a copy of the improvement plans, as filed with the Division of Engineering, to the private utility companies.

4-6 CONSTRUCTION OF THE PUBLIC IMPROVEMENTS - The project engineer shall notify the Division of Engineering, the Division of Sanitary Sewers, and the Division of Traffic Engineering when construction of the infrastructure begins. Within two weeks after the commencing of construction, the developer and project engineer shall give at least 72 hours notice to the representatives of the above divisions and conduct a meeting to discuss the construction schedule. The project engineer shall prepare notes of the meeting and submit them to the various divisions. All construction shall be in conformance with the submitted improvement plan.

4-6(a) LAND DISTURBANCE PERMIT - The Division of Engineering shall issue permits in conformance with the Division's established procedure.

4-6(b) PROTECTION AREAS - Areas that the Planning Commission identified for protection through the preliminary subdivision plan process shall be delineated on the site and shall receive the level of protection specified by the Commission.

4-6(c) DEVELOPMENT SIGN - The developer shall erect a project sign, which shall not be smaller than four feet by four feet and shall not

exceed four feet by eight feet, which shall identify the name and telephone number of the developer, project engineer, and the contractor. The format for the sign shall be as specified in the Division of Engineering Standard Drawings.

4-6(d) REPORTS - The project engineer shall provide a resident project representative to observe the construction of the infrastructure and shall prepare daily reports in accordance with the requirements of the Construction Inspection Technical Manual. When work commences, inspection reports shall be prepared for each day (even if no construction occurs) and shall be submitted to the Division of Engineering every two weeks until the project engineer certifies substantial completion.

4-6(e) NOTIFICATION OF TESTING AND CONNECTIONS - All tests required by the Division of Engineering Technical Manuals shall be conducted under the direction of the project engineer. The Divisions of Engineering and Sanitary Sewers shall be notified 72 hours in advance of the sanitary sewer tests, connection to the Urban County Government's sanitary sewer system and start-up demonstrations of pump stations. The Divisions of Engineering and Traffic Engineering shall be notified 72 hours in advance of construction that will impact existing public streets, including road widening, turn lane construction and other similar activities.

4-6(f) NEW INFORMATION - When new information related to the natural characteristics of the land is discovered during construction, the project engineer shall promptly advise the Division of Engineering of details of the found conditions, the impacts, and the modifications to the infrastructure which are to be made. Such found conditions may include, but are not limited to, the presence of sinkholes or other environmentally sensitive or geologic hazard areas.

4-7 FINAL PLAN PROCEDURE - All major final subdivision plans shall be processed as follows:

4-7(a) PRE-FILING CONFERENCE - The project engineer is urged to prepare a rough sketch of the proposal and to discuss it informally with the Division of Planning and other divisions of government, utility companies and other agencies in order to share information and open a dialogue at the earliest stages of the process. This conference is not a mandatory prerequisite to the formal filing of the final subdivision plan by the developer.

4-7(b) FILING, DISTRIBUTION AND REVIEW

- The filing, distribution, and review procedures for final subdivision plans shall be the same as for preliminary plans as outlined under Articles 4-4(b) and 4-4(c) above.

4-7(c) COMMISSION ACTION - No final plan shall be considered for action by the Commission until it has been reviewed, and recommendations made by the Subdivision Committee. All final plans shall be approved or disapproved within ninety (90) days of the date they are officially filed for Commission action. The Commission will review the Subdivision Committee's recommendations and then act for approval, conditional approval with conditions noted, postponement, or disapproval. The reasons for action of postponement or disapproval and any requirements associated with a conditional approval shall be fully incorporated in the Commission's minutes and shall be available to the developer and the public. The following actions by the Commission shall have the meanings so stated:

(1) APPROVAL - Approval means the final plan is ready to be certified by the Commission's Secretary, with no further corrections or revisions of the plan required by the developer or project engineer.

(2) CONDITIONAL APPROVAL - Conditional approval means the final plan cannot be certified by the Commission's Secretary until the developer or project engineer has complied with the conditions of approval set forth in the Planning Commission's action on the plan.

(3) POSTPONEMENT - Postponement means that the Commission has deferred action until some future Commission meeting in order that certain clarifications can be made in regard to the plan. No completely new re-submittal is required of the developer, as is the case for disapproval. However, all final plans shall be approved, conditionally approved, or disapproved within ninety (90) days of the date they are officially filed for Commission action unless the developer agrees to a longer postponement.

(4) DISAPPROVAL - Disapproval means disapproval of the plan for specific reasons. To request new review and action, the developer must file a new application along with a filing fee, plan copies, and other material as required under Article 4-7(b) above.

4-7(d) CERTIFICATION BY THE URBAN COUNTY ENGINEER - Upon approval or conditional approval of the final record plan by the Planning Commission and determination of substantial completion of the public improvements by the project engineer, the final record plan may be submitted to the Urban County Engineer for certification. Within five working days, the Urban County Engineer shall certify the plan, provided the information listed below is submitted and found complete. If not complete, the Urban County Engineer shall notify the developer and the project engineer of the specific deficiencies within the five working days.

4-7(d)(1) CERTIFICATION OF SUBSTANTIAL COMPLETION - As provided in the Procedures Manual, the project engineer shall certify that the work on the public improvements, as shown in the Improvement Plans, has progressed to a level of completion so that the public improvements can be utilized for the purposes for which they were intended.

4-7(d)(2) RECORD DRAWINGS - Record drawings, prepared by the project engineer as specified in the Engineering Manuals, shall be submitted detailing the public improvements as they were constructed. In addition, the project engineer shall submit a copy of the certification prepared for submission to the Kentucky Division of Water, indicating that the record drawings for the sanitary sewers are true and correct.

4-7(d)(3) COMPOSITE DRAINAGE PLAN - The project engineer shall submit the composite drainage plan for the site.

4-7(d)(4) SEWER VIDEO - The project engineer shall submit a video tape of the sanitary sewer system survey, and a table of lateral stub connections suitable for use by the Division of Engineering when issuing sewer tap permits.

4-7(d)(5) TEST RESULTS - The results of all infrastructure tests, required by the Division of Engineering Manuals, and conducted by the project engineer, shall be submitted.

4-7(d)(6) PUNCH LIST - The project engineer shall submit a list of the work needed to complete the public improvements, including a detailed estimate of the cost of such completion. The project engineer shall certify that the punch list and the cost estimate are true and complete.

4-7(d)(7) REQUIRED PERMITS - The project engineer shall submit copies of all approved state and federal permits that were required for the construction of the project and that have not been previously filed.

4-7(d)(8) SCHEDULE FOR COMPLETION - The project engineer shall submit a schedule providing for the completion of all punch list items. All items on the punch list shall be completed within one year, with the exceptions of the installation of the final course of asphalt, the installation of the sidewalk, and the conversion of the silt/sediment basins to detention/retention basins.

4-7(d)(9) PERFORMANCE / WARRANTY SURETY - The developer shall post a combination performance and warranty surety, which shall be both to ensure the completion of public improvements, as indicated by the punch list, and for the repair of infrastructure that is found to be defective due to improper workmanship or defective materials.

4-7(d)(9)(a) ACCEPTABLE SURETIES - Acceptable sureties shall generally be an irrevocable letter of credit in favor of the Urban County Government from a bank with offices in Lexington-Fayette County.

4-7(d)(9)(b) DETERMINATION OF THE AMOUNT OF THE SURETY - The total amount of the combination surety shall be ten percent (10%) of the total cost of the installed infrastructure, including roads, sanitary sewer system and storm water facilities, plus one hundred percent (100%) of the cost of the items included on the punch list of incomplete work. Where the sanitary sewer pumping station has been constructed, and all pumping equipment installed, but electrical service has not been provided to the facility, the entire cost of the pumping station shall be included in the surety. The cost of roads, sanitary sewers, storm water facilities and the punch list items shall be based upon the unit cost of each construction item which is a part of the plan. The unit costs for public improvement construction items shall be determined annually in conformance with the procedure established in the Procedures Manual and shall be available from the Division of Engineering. The surety shall also include an additional twenty percent (20%) of the amounts listed above to provide for inflation and

administrative costs, should the surety be called; and the Urban County Government must cause the work to be constructed or repaired, as appropriate.

4-7(d)(9)(c) SURETY FOR PRIVATE STREETS - All private street improvements (excepting only the final course of asphalt and possibly the sidewalks) shall be constructed in compliance with the approved improvement plan before the final subdivision plan is recorded. For the final course of asphalt only, the developer shall be permitted to post a surety in favor of the final maintenance association responsible for the private street, and shall note such requirement on the final plat of the property. For any sidewalks not yet constructed, the developer shall be permitted, at the time of recordation of the final plat, to post a surety in favor of the final maintenance association responsible for the private street, as long as it is also in favor of the Urban County Government. This shall not be construed to hold the Urban County Government responsible for the construction of such sidewalks other than to the extent of the funds provided by the surety; and neither this, nor any action by the Urban County Government relative to the enforcement of the required construction of such sidewalks and/or the surety, therefore, shall be construed as acceptance of responsibility by the Urban County Government for the construction, maintenance or dedication of such sidewalks as public infrastructure.

The amount of the surety for the private street shall be 10% of the cost of the installed private street plus 100% of the cost of the final course of asphalt. The surety shall also include an additional 20% of the amounts above to provide for inflation and administrative cost, should the surety be called; and the final maintenance association must cause the work to be constructed or repaired, as appropriate. When private streets are permitted, the surety that is submitted in favor of the Urban County Government for the infrastructure shall not include an amount equal to the surety for private streets. The amount of the surety for the sidewalks shall be 100% of the cost of the construction of the sidewalks. The surety shall also include an additional 20% of the amounts above to provide for inflation and administrative cost, should the surety be called; and the final maintenance association must

cause the work to be constructed or repaired, as appropriate.

4-7(e) CERTIFICATION OF PLANNING COMMISSION APPROVAL AND RECORDING -

Within one (1) year of the Commission's approval, or conditional approval, unless a time extension has been granted prior to the expiration date, the following steps shall be completed, or else the Commission's approval, or conditional approval, becomes null and void:

- (1) The developer shall fully comply with any conditions of approval placed on the plan by the Commission and shall submit the completed original plan drawing to the Division of Planning;
- (2) The plan shall be certified by the Commission's Secretary if it is in conformance with all requirements;
- (3) The plan shall be recorded in the plat records of the Fayette County Clerk by the Division of Planning at the developer's expense; and
- (4) Required copies shall be made of the recorded plan by the Division of Planning at the developer's expense.

4-7(f) RECORDING OF A PORTION OF A FINAL PLAN -

The Division of Planning shall be authorized to permit a developer to record a final plan that has been approved or conditionally approved by the Commission in smaller land increments than depicted on the final plan. For any such developer's request, the Division of Planning shall review the proposal with the Division of Engineering to ensure that no problems in provision of streets, storm drainage, or sanitary sewers would result. In any disputed cases, the request will be forwarded to the Planning Commission for final judgment.

4-7(g) NO OCCUPANCY PERMIT - No person shall allow occupancy of any building until the Division of Building Inspection has verified that the private utilities (water, electricity, telephone, and, where applicable, sanitary sewers and natural gas), or public sanitary sewer pumping station, are completed in such a fashion that such utilities are available for use on the property in question.

4-8 COMPLETION OF PUBLIC IMPROVEMENTS

- Public improvements that were not completed prior to certification of the final plan by the Urban County

Engineer shall be completed in conformance with the approved improvement plan and with the submitted schedule for completion. In the event the public improvements are not completed as provided in the schedule for completion, or repaired as required, the Urban County Engineer shall, in writing, advise the Planning Commission, which shall have the authority to call the surety posted in favor of the Urban County Government and cause the work to be constructed or repaired, as appropriate.

4-8(a) PRE-FINAL INSPECTION AND FIRST REDUCTION IN THE SURETY - Within thirty (30) days of the certification of the final plan by the Urban County Engineer, the Division of Engineering shall inspect the public improvements. If the Division of Engineering finds that portions of the work on the public improvements that were included in the punch list have now been completed, a first reduction in the surety shall be permitted, when so requested by the developer. The reduction in the surety shall equal the cost of those punch list items that are found to be complete.

4-8(b) ADDITIONAL REDUCTIONS OF SURETY - Additional reductions in the amount of the surety will be permitted. The surety may be reduced only at times provided below. In all cases, the Division of Engineering shall retain the amount of the surety for inflation and administration until the release of the surety. No reduction will be permitted after the completion date has passed, and no reduction will alter the original completion or termination date of the surety.

(1) SECOND REDUCTION - When requested by the developer, a second reduction shall be allowed one year from the Urban County Engineer's certification of the final plan. Within thirty (30) days of the request by the developer, the Division of Engineering shall inspect the improvements. The surety may be reduced by an amount equal to ten percent (10%) of the total amount of the cost of the stormwater facilities, plus the value of all punch list items that are found to have been completed during the first year.

(2) THIRD REDUCTION - At the end of the second year from the date of the certification of the plan by the Urban County Engineer, and within thirty (30) days of the request by the developer, the Division of Engineering shall inspect the improvements. The surety may be reduced by an amount equal to the value of the items that are found to have been completed in the second year. If the final course of asphalt has

been applied for at least one year, the amount of the surety may be reduced by an amount equal to ten percent (10%) of the total cost of the final course of asphalt.

(3) FOURTH REDUCTION - At the end of the third year from the date of the certification of the plan by the Urban County Engineer, and within thirty (30) days of the request by the developer, the Division of Engineering shall inspect the improvements. The surety may be reduced by an amount equal to ten percent (10%) of the total cost of the sanitary sewer and pump station facilities plus the value of any items that are found to have been completed in the third year. If the final course of asphalt has been applied for at least one year, and if a previous reduction for the final course of asphalt has not been taken, the amount of the surety may be reduced by an amount equal to ten percent (10%) of the total cost of the final course of asphalt.

4-8(c) COMPLETION OF UTILITIES AND FINAL COURSE OF ASPHALT - Only when all utilities have been installed, the base courses of the roadway have been completed for at least one year and the project engineer has certified the same to the Division of Engineering, shall the developer install the final course of asphalt. Any defective areas of the base courses of pavement must be identified by the project engineer and corrected or reconstructed, including removal of portions of the pavement in order to obtain a uniformly compacted base prior to the installation of the final surface. Upon installation of the final surface, the amount of the surety may be reduced by an amount equal to 10% of the cost of the base courses; but in no case shall the reduction be more than 10% of the cost of the final surface.

4-8(d) RENEWAL OF THE SURETY - When requested by the developer, the Urban County Engineer shall renew the surety for uncompleted items for one additional year, beyond the three years otherwise provided. Any further renewals or extensions of the surety may only be granted by the Planning Commission upon a finding that there are conditions that prevent the timely completion of the public improvements. As a condition to the extension or renewal, the Planning Commission may require recalculation of the amount of the surety when there has been a significant increase in the cost of the items that are not completed.

4-8(e) FINAL REDUCTION / RELEASE OF SURETY - When the developer has completed all

required improvements, and the final course of asphalt has been applied for at least one year, the developer may request a final release of the surety. When so requested, the Division of Engineering will conduct a final inspection within thirty (30) days. Upon determination by the Division of Engineering that all improvements have been properly constructed in conformance with the requirements of these Subdivision Regulations, the Zoning Ordinance, the Division of Engineering Technical Manuals and the Division of Engineering Standard Drawings, the Urban County Engineer shall, in writing, notify the Planning Commission, which shall release the surety.

4-9 AMENDMENTS TO PLANS - With the exception of minor amendments set forth in Article 2, any amended preliminary plan, improvement plan, or final plan shall follow the same procedures as required for the original subdivision plan.

SIMPLIFIED DESCRIPTION OF PROCEDURE FOR PROCESSING MAJOR SUBDIVISION PLANS

- Step # 1PRE-APPLICATION CONFERENCE..Developer reviews sketch plan ideas with the Division of Planning, and reviews the community development plans.
- Step # 2.....DEVELOPMENT PLANIf needed, developer prepares development plan for surrounding vacant land, and the Commission holds public hearing.
- Step # 3.....PRELIMINARY PLANDeveloper is ready to proceed with the preparation of the preliminary subdivision plan.
- Step #4.....Developer properly files preliminary plan with the Division of Planning, which distributes copies to other agencies.
- Step # 5.....The Land Subdivision Technical Committee meets and prepares recommendations to the Subdivision Committee.
- Step # 6.....The Commission's Land Subdivision Committee meets and prepares recommendations to the full Planning Commission.
- Step # 7.....At official meeting, the Commission acts on plan.
- Step # 8.....IMPROVEMENT PLANAs soon as preliminary plan is fully approved (certified), the developer proceeds to the improvement plan.
- Step # 9.....Following certification of preliminary plan, and completion of 30% of the design for the improvement plan, the developer must file a progress report on the improvement plans with the Division of Planning, for review by the Commission.
- Step # 10.....Once completed, the developer must file improvement plans with the Division of Engineering.
- Step # 11FINAL PLANAs soon as improvement plans are fully approved, developer may proceed to construct improvements and, after improvements have been completed (unless a bond is to be used), proceeds to prepare final plans.
- Step # 12.....Within 3 years of approval of the preliminary plan, developer must properly file final plan(s) with the Division of Planning, which distributes copies to other agencies.
- Step # 13.....The Land Subdivision Technical Committee meets and prepares recommendations to the full Commission.
- Step # 14.....The Commission's Subdivision Committee meets and prepares recommendations to the full Planning Commission.
- Step # 15.....At official meeting, the Commission acts on plan.
- Step # 16.....Within one year of Commission approval, final plan must meet all requirements, be certified, and recorded. Lots may then be sold.
- Step # 17.....If a construction bond has been permitted, it shall be released if work is properly completed within specified time. Otherwise, the Commission shall call the bond and have work properly performed.

NOTE: This illustration is presented for general information purposes only. In many cases all steps are not required. All developers should consult with the Division of Planning, prior to filing, to determine the required procedural steps for the proposed subdivision.